IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.26217 of 1997

Dated:24.01.2007

Between

G.Fareed Ahmed

..... Petitioner

And

The District Collector,
Kadapa and three others.

.....Respondents

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.26217 of 1997

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in trying to demolish the shops bearing Door Nos.61/197 and 62/1 to 3, Rajampet – Kadiri Main Road, Trunk Road, Rayachoty town, Kadapa District, as illegal and arbitrary.

It is the case of the petitioner that the shops

in question were constructed as per the plan approved by Rayachoty Gram Panchayat and that is the owner of the same and that the land on which the said shops were constructed is a patta land.

The grievance of the petitioner is that the Government is trying to demolish the shops in question for the purpose of widening Rajampet – Kadiri Road without following the due process of law.

Despite the fact that notices were served on the respondents, they have not chosen to enter their appearance.

Heard learned counsel for the petitioner.

This Court while issuing Rule nisi, granted interim order directing the respondents not to demolish the petition schedule shops.

It is mandatory on the part of the respondents to follow due process of law before demolishing the shops in question.

Accordingly, the respondents are hereby directed not to demolish the shops bearing Door Nos.61/197 and 62/1 to 3, Rajampet – Kadiri Main

Road, Trunk Road, Rayachoty town, Kadapa District, belonging to the petitioner without following the due process of law.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

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24.01.2007

DR